

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
AUSTIN DIVISION

AMMER QADDUMI, §
Plaintiff, §
v. § CIVIL ACTION NO. 1:24-cv-01002
UNIVERSITY OF TEXAS AT AUSTIN, §
UT PRESIDENT JAY HARTZELL, AND §
UT PROVOST SHARON WOOD, §
Defendants. §

**UT DEFENDANTS' NOTICE OF NON-OPOSITION TO PLAINTIFF'S AMENDED
MOTION FOR LEAVE TO FILE SECOND AMENDED COMPLAINT**

Defendants The University of Texas at Austin, President Jay Hartzell, and former Provost Sharon Wood (collectively “UT Defendants”) hereby inform the Court they are not opposed to Plaintiff’s Amended Motion for Leave to File Second Amended Complaint (Dkt. 28), while reserving the right to move to dismiss the Second Amended Complaint. After Plaintiff filed his initial Motion for Leave to File Second Amended Complaint (Dkt. 26), the undersigned counsel communicated with Plaintiff’s counsel regarding the UT Defendants’ deadline to respond to the initial motion. At this point, Plaintiff’s counsel requested the UT Defendants’ confirm their opposition to the motion and identify the specific basis for such opposition, which the undersigned counsel provided. Plaintiff then filed an Amended Motion for Leave to File Second Amended Complaint in a preemptive attempt to address the UT Defendants’ futility arguments (Dkt. 28). Rather than litigate the Rule 12(b) standard in the context of a motion for leave to amend, the UT Defendants’ hereby notify the Court that they are not opposed to entry of Plaintiff’s Second Amended Complaint as the operative pleading in this case. However, the UT Defendants reserve their right to move to dismiss the Second Amended

Complaint, which will allow the parties and the Court to fully engage in the applicable arguments and pleading standards under Rule 12.

Dated: December 17, 2024

Respectfully submitted,

/s/ Darren G. Gibson

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CERTIFICATE OF SERVICE

I hereby certify that on December 17, 2024, a copy of the foregoing document has been electronically filed with the Court, and served on the following by CM/ECF:

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